

# Exhibit C

# Morgan Lewis

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August 22, 2022

**VIA E-MAIL**

Edward P. Sullivan, Special Assistant U.S. Attorney  
& Senior Litigation Counsel  
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United States Attorney's Office  
for the Eastern District of Virginia  
Justin W. Williams United States Attorney's Building  
2100 Jamieson Avenue  
Alexandria, Virginia 22314

**Re: United States v. Julio R. Sotomayor, 1:22-cr-00122-RDA-1**

Dear Ed:

This letter identifies several concerns and follow up requests based on our initial review of the government's first two document productions of discovery materials.

First, we have identified placeholder documents that reference audio recordings for which we have not received an accompanying audio file or transcript. These documents can be found at the following bates numbers: FBI-00053598-FBI00053605, 1D-00000001-1D00000003, and 1D-00000005-1D-00000014. Further, we have also identified FD-302s that reference surreptitiously and/or consensually recorded interviews that, similarly, do not have an accompanying transcript, recording, or substantive written memorandum. *See*, FBI-00049233, FBI-00049334, FBI-00049363, FBI-00049503, FBI-00049522, FBI-49534, FBI-00049536. We request that all underlying recordings and any accompanying transcripts, as well as any outstanding substantive witness interview memoranda, be produced as soon as possible.

Second, we have identified the grand jury testimony for the following individuals: Theresa Klisz, Andre Mendes, Erin Pallack, and Beverly Rippy. We have also identified testimony pursuant to proffer agreements for La'Keisha Washington, Rita Starlipper, and Robert Sturgis. With the exception of Robert Sturgis, all of this testimony relates to conduct that is not directly relevant to the charges in the indictment. We request that you provide all remaining additional grand jury testimony and interview memos as soon as possible.

Third, we have also encountered some significant technical issues with the government's discovery productions. We did not receive an image overlay and, therefore, were unable to load the following documents: BBG-00087795, BBG-00087796, BBG-00087797, BBG-00087798, BBG-00087807, BBG-00087817, BBG-00087820, BBG-00087822, BBG-00087827, BBG-00087829, and BBG-00087830. We also encountered six documents that appear to be duplicates. BBG-00087834, BBG-00087836, BBG-00087837, BBG-00087838, BBG-00087840, are in both PROD001-VOL1 and PROD001-VOL2, and 1A-00000001

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appears in both PROD001-VOL1 and PROD002. Finally, we did not receive the proper metadata for the PROD\_BEGATTACH and PROD\_ENDATTACH fields and, therefore, are not able to identify family members of email threads. We ask that you (1) provide the image overlay for the documents listed above, (2) advise whether those duplicate documents are, in fact, duplicates, and (3) provide sufficient metadata for the PROD\_BEGATTACH and PROD\_ENDATTACH fields.

We note that the first two productions are voluminous, and the accompanying indexes are, similarly, unwieldy. We welcome any direction to point us to the most relevant documents, specifically, grand jury testimony and/or transcripts, as well as substantive witness interview memoranda, so that we can expedite further discussions with our client.

Our ability to provide effective assistance of counsel to our client is dependent on our ability to receive, locate and review discovery materials. While a large volume of materials have been provided by the government, many tens of thousands of documents are spam materials and other irrelevant documents. It seems to us that the most important and most significant materials have not yet been produced by the government. The technical difficulties associated with the government's production as outlined above are hindering our ability to review the discovery materials and advise our client regarding the case.

Please let me know when you are available to discuss the matters we raise in this letter. Thank you for your anticipated cooperation.

Sincerely,



John J. Pease III

cc: Jonathan York, Esq.